

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RISEANDSHINE CORPORATION d/b/a
RISE BREWING

Plaintiff,

vs.

PEPSICO, INC.

Defendant.

CASE NO.: 1:21-cv-03198

Honorable John Z. Lee

JURY TRIAL DEMANDED

**PLAINTIFF RISEANDSHINE CORPORATION'S OPPOSED MOTION FOR
PRELIMINARY INJUNCTION**

Plaintiff RiseandShine Corporation, d/b/a Rise Brewing ("Rise Brewing") seeks entry of a Preliminary Injunction arising out of 15 U.S.C. § 1114 and 15 U.S.C. § 1125, Illinois Common Law, and the Illinois Uniform Deceptive Trade Practices Act, 815 ILCS § 510, barring Defendant PepsiCo, Inc., from selling, offering to sell, causing to be sold, disseminating, importing, distributing, circulating, promoting, marketing, advertising, or in any way commercially exploiting its infringing Mtn Dew RISE mark in the United States. Plaintiff's Memorandum of Law in Support of its Opposed Motion for Preliminary Injunction and associated declarations and exhibits are being filed concurrently with this Motion. Rise Brewing contacted counsel for Defendant PepsiCo, Inc. ("PepsiCo") via email on June 17, 2021, regarding this request, and was informed that PepsiCo opposed this motion.

Dated: June 29, 2021

Respectfully Submitted,

/s/Jason Rosenberg

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CERTIFICATE OF SERVICE

I, the undersigned counsel, certify that on June 29, 2021, I caused a copy of the foregoing document to be electronically filed using the Court's CM/ECF system, which will generate notice of this filing to all counsel of record.

/s/ Jason Rosenberg